

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

RONALD J. ALLISON,
Plaintiff(s),
v.
PARRA, et al.,
Defendant(s).

Case No. 2:21-cv-01626-JAD-NJK

REPORT AND RECOMMENDATION

16 Plaintiff initiated this case without paying the required fee or filing an application to
17 proceed *in forma pauperis*. Docket No. 1. On September 8, 2021, the Court ordered Plaintiff to
18 pay the filing fee or file an application to proceed *in forma pauperis* by October 7, 2021. Docket
19 No. 3. The Court warned that “[f]ailure to comply will result in a recommendation to the District
20 Judge that this case be dismissed.” *Id.* at 2. Notwithstanding that warning, Plaintiff did not
21 comply.

22 This case cannot proceed without Plaintiff either paying the filing fee or filing a motion to
23 proceed *in forma pauperis*. See 28 U.S.C. § 1914(a); see also 28 U.S.C. § 1915(a). Having refused
24 to do either in this case, Plaintiff's complaint is subject to dismissal. *E.g., Desai v. Biden*, 2021
25 WL 38169, at *1 (E.D. Cal. Jan. 5, 2021), *adopted*, 2021 WL 276236 (E.D. Cal. Jan. 27, 2021).

26 Moreover, Plaintiff's refusal to comply with the Court's order is an abusive litigation
27 practice that has interfered with the Court's ability to hear this case, delayed litigation, disrupted
28 the Court's timely management of its docket, wasted judicial resources, and threatened the

1 integrity of the Court's orders and the orderly administration of justice. Sanctions less drastic than
2 dismissal are unavailable because Plaintiff has refused to comply with the order of this Court
3 notwithstanding the warning that case-dispositive sanctions may be imposed.

4 Accordingly, the undersigned **RECOMMENDS** that this case be **DISMISSED** without
5 prejudice.

6 Dated: October 21, 2021

7 
8 Nancy J. Koppe
9 United States Magistrate Judge

10 **NOTICE**

11 This report and recommendation is submitted to the United States District Judge assigned
12 to this case pursuant to 28 U.S.C. § 636(b)(1). A party who objects to this report and
13 recommendation must file a written objection supported by points and authorities within fourteen
14 days of being served with this report and recommendation. Local Rule IB 3-2(a). Failure to file
15 a timely objection may waive the right to appeal the district court's order. *Martinez v. Ylst*, 951
16 F.2d 1153, 1157 (9th Cir. 1991).

17
18
19
20
21
22
23
24
25
26
27
28